

The Honorable Karen A. Overstreet
Chapter 7
Hearing Location: Courtroom 7206, Seattle
Hearing Date: December 7, 2007
Hearing Time: 9:30 a.m.
Response Date: November 30, 2007

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In Re:) Chapter 7
ROBERT ALLEN WEAN, JR.) No. 07-14143
Debtor.) TRUSTEE'S OBJECTION
) TO MOTION FOR RELIEF FROM STAY

12 COMES NOW Ronald G. Brown, Chapter 7 Trustee, and objects to the motion for relief
13 from stay by Washington Mutual Bank, F.A., in regard to the debtor's real property at 10052 NE
14 142nd Place, Bothell, Washington as follows:

15 1. The moving party claims to be the “holder of the note or services the note for the current
16 holder” according to Paragraph II of the motion. However, the Deed of Trust for the real property,
17 attached as an exhibit to the motion, is not in the name of the moving party, but in the name of
18 Homefield Financial, Inc.

19 2. There is no assignment or other documentation in the movant's pleadings that explains
20 how Washington Mutual Bank acquired an interest in the property or a copy of an original
21 promissory note which it claims to hold.. In addition, the declaration by an authorized representative
22 of the lender does not state that there is no equity in the real property in excess of its secured claim.
23 There appears to be insufficient evidentiary information for the court to rule on the motion.

24 DATED this 12th day of November, 2007.

/s/ Ronald G. Brown
Ronald G. Brown, WSBA #8816
Chapter 7 Trustee

TRUSTEE'S OBJECTION

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